

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

BEN JOHNSON,)	
Plaintiff,)	
)	
vs.)	Case No. CIV-20-0453-F
)	
KILOLO KIJAKAZI, Acting)	
Commissioner of Social Security)	
Administration,)	
Defendant.)	

ORDER REGARDING DOCKET NO. 29


On July 6, 2021, this Court reversed the decision of the Commissioner and remanded this case for further administrative proceedings. No appeal was taken from this Judgment and the same is now final.

Pursuant to *Plaintiff's Motion for Attorney Fees Pursuant to the Equal Access to Justice Act* ("EAJA") [doc. no. 29], 28 U.S.C. § 2412, and upon the presentations of counsel, including defendant's response brief (doc. no. 30) which represents that the parties have agreed an EAJA award in the amount of \$5,800.00 is reasonable, the court hereby finds that an EAJA fee award, for all work performed in this case, is appropriate in the amount of \$5,800.00.

WHEREFORE, IT IS ORDERED that Plaintiff be awarded EAJA attorney fees in the amount of \$5,800.00 payable to Plaintiff in care of his counsel. If Plaintiff's counsel also receives attorney fees under 42 U.S.C. § 406(b) of the Social Security Act, Plaintiff's

counsel shall refund the smaller award to Plaintiff pursuant to Weakley v. Bowen, 803 F.2d 575, 580 (10 Cir. 1986).

IT IS SO ORDERED this 18th day of October, 2021.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE